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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/024,324	12/18/2001	Urpo Tuomela	413-010763-US(PAR)	6731
2512	7590	06/12/2007	EXAMINER	
PERMAN & GREEN 425 POST ROAD FAIRFIELD, CT 06824			CHO, UN C	
			ART UNIT	PAPER NUMBER
			2617	
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			06/12/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 10/024,324	Applicant(s) TUOMELA ET AL.	
	Examiner Un C. Cho	Art Unit 2617	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 March 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6,8 and 12-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6,8 and 12-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 – 6, 8 and 12 – 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reuss et al. (US 6,364,834 B1) in view of Richton (US 6,650,902 B1).

Regarding claim 1, Reuss discloses a wireless receiver configured to receive information from a physical condition arrangement and a task monitoring arrangement (Reuss: Col. 15, lines 28 – 60); an alarm/display part configured to display messages or alerts to the user (a display module; Fig. 6, element 84); and a control unit configured to make context-based decisions to convey pieces of information to the user based on the received information to guide the actions of the user of the reminder (Reuss: Col. 15, line 61 through Col. 16, line 34).

However, Reuss as applied above does not specifically disclose where the context-based decision is based on at least factors including importance of a piece of information and location of the user so that the pieces of information are received by the user at suitable times and locations. In an analogous art, Richton remedies the deficiencies of Reuss by disclosing such limitation in Col. 11, lines 22 – 40 and Col. 12, lines 44 – 61 whereas the user is able to make context-

based decision based on the importance and location by receiving the information at suitable times and locations. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the technique of Richton to the system of Reuss in order to provide a system which tailors beneficial information to specific individual needs.

Regarding claim 2, Reuss in view of Richton as applied above discloses which further comprises a memory part of which is arranged so as to provide an activity log in the reminder (memory storage component; Reuss: Col. 15, line 28 through Col. 16, line 34).

Regarding claim 3, Reuss in view of Richton as applied above discloses a user interface for the device (a keyboard or keypad; Fig. 6, element 82 or Fig. 7, element 102).

Regarding claim 4, Reuss in view of Richton as applied above discloses a receiver means with which the reminder is arranged so as to function as a terminal in a wireless network (Reuss: Col. 15, lines 55 – 57).

Regarding claim 5, Reuss in view of Richton as applied above discloses wherein the wireless network terminal is arranged so as to function as a personal cellular phone (Reuss: Col. 15, lines 55 – 57).

Regarding claims 6, 12, 13 and 14, the claims are interpreted and rejected for the same reason as set forth in claim 1.

Regarding claim 8, the claim is interpreted and rejected for the same reason as set forth in claim 2.

Regarding 15, Reuss in view of Richton as applied above discloses wherein the at least one user monitor is in wireless communication with the control unit (Reuss: Col. 15, line 61 through Col. 16, line 34).

3. Claims 16 – 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reuss in view of Richton as applied to claim 1 above, and further in view of DuRousseau (US 2002/0077534 A1).

Regarding claim 16, Reuss in view of Richton as applied above does not specifically disclose wherein the activities that the physical activity arrangement is configured to monitor include whether the user is alone and if the user is speaking. In an analogous art, DuRousseau remedies the deficiencies of Reuss in view of Richton by disclosing such limitation in the abstract and on Page 2, Paragraph 0024, lines 1 – 27 whereas a hands-free human-machine interface uses body position, limb motion, speech signals, and/or changes in the operator's level of cognition and/or stress to control the user interface of an interactive system. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the technique of DuRousseau to the modified system of Reuss and Richton in order to provide an improved human-computer interface having many of the same capabilities as a conventional input device without the need of an hand operated electromechanical controls.

Regarding claim 17, Reuss in view of Richton and further in view of DuRousseau as applied above discloses wherein the task monitoring arrangement is configured to send the control unit information about a task or work the user is performing (providing feedback to the user; DuRousseau: Page 2, Paragraph 0024, lines 1 – 27 and Page 3, Paragraph 0032, line 1 through Paragraph 0033, line 7).

Regarding claim 18, Reuss in view of Richton and further in view of DuRousseau as applied above discloses wherein the context-based decision is further based on information about the activity of the user (DuRousseau: Page 2, Paragraph 0024, lines 1 – 27), an ability of the user to take actions in response to the information from the reminder, a user's location, a time of day (Richton: Col. 11, lines 22 – 40 and Col. 12, lines 44 – 61), and a task the user is performing (DuRousseau: Page 3, Paragraph 0032, line 1 through Paragraph 0033, line 7).

### ***Response to Arguments***

4. Applicant's arguments with respect to claims 1 – 6, 8 and 12 – 18 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Un C. Cho whose telephone number is (571) 272-7919. The examiner can normally be reached on M ~ F 8:00AM to 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on (571) 272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Un C Cho  
Examiner  
Art Unit 2617

6/4/07

  
GEORGE ENG  
SUPERVISORY PATENT EXAMINER